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In re Application of
Fumio SAKITANI
Application No.: 10/516,591
PCT No.: PCT/JP03/07075
Int. Filing Date: 04 June 2003
Priority Date: 04 June 2002
Attorney's Docket No.: 121965
For: SHEET-LIKE ELECTRONIC...
COMPONENT MANUFACTURING SYSTEM

DECISION ON
PETITION
UNDER 37 CFR 1.181

This decision is in response to the "REQUEST FOR CORRECTION OF PALM RECORDS," filed on 30 March 2005, 26 May 2006, 21 December 2006, 12 June 2008, and 10 November 2008 which is being treated as a petition under 37 CFR 1.181 requesting that the 371(c)(1), (c)(2), and (c)(4) date of the above application be corrected to 04 March 2005.

BACKGROUND

On 03 December 2004, applicant filed a transmittal letter for entry into the national stage in the United States which was accompanied by, inter alia, the requisite basic national fee as required by 35 U.S.C. 371(c)(1), and a copy of the international application, and a translation into English of the international application were provided with the transmittal letter. However, no executed Declaration was filed at such time.

On 04 March 2005, applicant filed a second transmittal letter, which was accompanied with a submission of an executed declaration.

On 05 March 2005, the United States Designated/Elected Office (DO/EO/US) mailed a "NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.495" which informed applicant that the 371(c)(1), (c)(2) and (c)(4) date is 03/05/2005 and that the date of completion of all 35 U.S.C. 371 is 04 December 2005.

On 30 March 2005, 26 May 2006, 21 December 2006, 12 June 2008, and 10 November 2008 applicant submitted the present petition requesting a corrected filing receipt, stating that the date of receipt under 35 USC 371(c)(1), (c)(2), and (c)(4) requirements is 04 March 2005.

DISCUSSION

A review of the file indicates that the executed declaration was received on **04 March 2005**, which is the also the date that applicants satisfied the requirement under 35 U.S.C. 371(c)(4). Accordingly, this is the date that 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) requirements were satisfied. In addition, the date of completion of all 35 USC 371 is 04 March 2005 because it is the date that the applicable sections of 35 USC 371 were met.

Consequently, the Notification of Acceptance (Form PCT/DO/EO/903) mailed on 05 March 2005 was erroneous because it indicated the Date of Completion of all 35 USC 371 Requirements is 03/05/2005 and the Date of Receipt of 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) requirements is 12/04/2005.

DECISION

The petition under 37 CFR 1.181 is **GRANTED**.

The Notification of Acceptance (Form PCT/DO/EO/903) mailed on 11 March 2005 is **VACATED** with the mailing of this decision.

A new Notification of Acceptance (Form PCT/DO/EO/903) will be mailed in accordance with this decision

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for continued processing under 35 U.S.C. 371. The 35 USC 371(c)(1), (c)(2), and (c)(4) date of this application is **04 March 2005** and the Date of Completion of all 35 USC 371 Requirements **04 March 2005**.



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